

### REMARKS

In response to the non-final office action of October 4, 2004, applicant asks that all claims be allowed in view of the amendment to the claims and the following remarks. Claims 1-39 are now pending, of which claims 1, 9, 19, 28, and 37-39 are independent. Claims 10, 14 and 39 have been amended to correct minor errors. Applicant asserts that no new matter has been added.

The amendment to claim 10 was in response to the objection raised in the Office action. Applicant requests that the objection be withdrawn in light of the amendment.

#### **Rejection under Section 102**

Claims 19, 20, 23, 24, 26, 27, 37 and 39 were rejected under 35 U.S.C. § 102 as being anticipated by Waites (U.S. Patent No. 6,788,769). Applicant requests reconsideration and withdrawal of this rejection because Waites does not describe or suggest the subject matter of independent claims 19, 37 and 39.

Claim 19 recites a message service provider that includes an interface for receiving a message with a universal address, a processor for generating a request to a universal address service provider for a message delivery location based on the universal address, and an interface for receiving the requested message delivery location. The message service provider routes the message based on the received message delivery location.

In contrast, Waites discloses an Internet directory system that is based on user telephone number addressing. See Waites at col. 4, lines 51-55. Waites discloses a server computer system 102 that includes a processor and stores a directory of user entries where each entry of a user includes an e-mail or web page address that is based on the telephone number of the user. See Waites at col. 4, lines 56-64. Waites discloses the process by which a first user (i.e., sender) may use the Internet directory system to send an e-mail message to a second user (i.e., recipient). See Waites at col. 7, line 12 – col. 8, line 36. In Waites' system, a sender manually constructs the recipient's email address at least based on the recipient's known telephone number. See Waites at col. 7, line 29-60. See also Waites at col. 8, lines 29-36.

Thus, in Waites' system, a user manually constructs the e-mail address in a message. As such, there is no generation of a request to a universal address service provider for a message delivery location based on a universal address, as recited in claim 19. Necessarily, Waites does not describe or suggest an interface for receiving the requested message delivery location.

The Office action cites column 4, lines 57-58 and column 3, lines 7-12 as disclosing a processor for generating a request to a universal address service provider for a message delivery location based on a universal address. See Office action of October 4, 2004 page 2, lines 15-18. However, as noted above, the cited processor relates to server computer system 102 that stores the directory of e-mail addresses. See Waites at col. 4, lines 56-58. Accordingly, Waites does not describe or suggest that the processor of the server computer system 102 generates a request to a universal address service provider for a message delivery location based on the universal address, as recited in claim 19.

At column 3, lines 7-12, Waites discloses another embodiment in which a caller enters a telephone number and a communication method to be used to contact a person associated with the entered telephone number. See Waites at col. 2, line 63 to col. 3, line 9. Based on the selection of the user, the calling party is "connected or passed to the appropriate paging carrier." See Waites at col. 3, lines 10-12. As such, Waites describes user selection of a communication mode and delivery of a message based on the selection. Thus, Waites does not describe or suggest generating a request to a universal address service provider for a message delivery location based on the universal address, as recited in claim 19.

Accordingly, Waites does not describe or suggest a processor for generating a request to a universal address service provider for a message delivery location based on the universal address, as recited in claim 19. Necessarily, Waites cannot describe or suggest an interface for receiving the requested message delivery location, wherein the message service provider routes the message based on the received message delivery location, also as recited in claim 19. Thus, Waites does not describe or suggest the subject matter recited in claim 19.

For at least these reasons, application requests reconsideration and withdrawal of the rejection of claim 19 and claims 20, 23, 24, 26 and 27, which depend directly or indirectly from claim 19.

Claim 37 recites a message delivery system including a message service provider, a universal address service provider, and a universal address service provider authority for managing the message delivery system, wherein the message service provider accesses the universal address service provider to determine a message delivery location.

With regard to claim 37 and the Waites embodiment disclosed in column 2, line 63 to column 3, line 28, the messaging system provider seems to correspond most closely to the telephone system and the universal address service provider seems to correspond most closely to the system that is called by a caller, as noted by the Office action. See Office action of October 4, 2004 at page, 3 lines 11-17. However, Waites does not disclose access to the universal address service provider (the called system) by the telephone system (which corresponds to the messaging system provider) to determine a message delivery location. Rather, Waites discloses the caller himself or herself entering a telephone number to identify a called party and selecting a communication method. The calling party is connected via telephone or passed to an appropriate paging carrier, presumably based on a telephone number that corresponds to the selected communication method. See Waites at col. 3, lines 7-13. Thus, Waites discloses that the called system determines the message delivery location and accesses the message delivery system. As such, Waites necessarily does not disclose that the message service provider accesses the universal address service provider to determine a message delivery location, as recited in claim 37.

For at least these reasons, application requests reconsideration and withdrawal of the rejection of claim 37.

Claim 39 recites a device for sending messages including a memory for storing a universal address, an interface for sending the universal address to a universal address service provider, an interface for receiving a message delivery location associated with the universal address from the universal address service provider and a processor for sending a message with the received message delivery location.

With regard to claim 39, the Office action states that the memory for storing a universal address is disclosed in column 4, lines 57-58 that relates to the Waites embodiment that includes a server computer system 102 that has a memory storing a directory of e-mail addresses and/or web pages which are based on telephone numbers of users. See Office action of October 4, 2004

at page 3, lines 19-21 and Waites at col. 4, lines 56-64. For the other elements of claim 39, the Office action cites the embodiment disclosing a user dialing a telephone number, selecting a communication method, and having the telephone call routed based on the selected communication method. See Office action of October 4, 2004 at page 3, line 20 to page 4, line 4.

One possibility for applying Waites to the claimed subject matter is to assume that the claimed device corresponds to the server computer system 102. Hence, under this approach, Waites discloses a device with a memory for storing a universal address but does not disclose an interface for sending the universal address to a universal address service provider.

Another possibility for applying Waites to the claimed subject matter is to assume that the claimed device corresponds to the called system in the embodiment disclosed at column 2, line 63 to column 3, line 27. Under this approach, however, the called system also most closely corresponds to the universal address service provider and necessarily cannot also serve as the device itself that interfaces with the universal address service provider.

As such, Waites does not describe or suggest a device for sending messages including a memory for storing a universal address, an interface for sending the universal address to a universal address service provider, an interface for receiving a message delivery location associated with the universal address from the universal address service provider, and a processor for sending a message with the received message delivery location, as recited in claim 39.

For at least these reasons, application requests reconsideration and withdrawal of the rejection of claim 39.

#### **Rejection under Section 103 of Claims 1, 4, 5, 7, 8, 14 and 15**

Claims 1, 4, 5, 7, 8, 14 and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Tsuei (U.S. Patent No. 6,654,779). Applicant requests reconsideration and withdrawal of the rejections because neither Waites, Tsuei, nor any proper combination of the two describes or suggests the subject matter of the independent claims.

Claim 1 recites a method for routing messages including receiving a message with a universal address, sending a request for processing the universal address to a universal address

service provider, receiving a message delivery location based on the universal address, and routing the message to the message delivery location.

As noted by the Office action, Waites does not disclose receiving a message with a universal address. See Office action of October 4, 2004 at page 5, lines 2-3. For this teaching, the Office action relies on Tsuei.

Tsuei is directed to a domain name server (DNS) that translates a domain portion of an e-mail address to a numeric Internet Protocol (IP) address. See Tsuei at col. 1, lines 58-65. However, the message received by Tsuei is not a message with a universal address. Rather, Tsuei receives a message having an e-mail address that corresponds to a message delivery location. As such, Tsuei receives a message with a message delivery location, and does not describe or suggest receiving a message with a universal address. Accordingly, Tsuei does not cure Waites' failure to describe or suggest receiving a message with a universal address.

For at least these reasons, application requests reconsideration and withdrawal of the rejection of claim 1 and claims 4, 5, 7, 8, which depend directly or indirectly from claim 1. For the same reasons, applicant requests withdrawal of the rejection of claim 14, which was amended to depend from claim 9, and dependent claim 15, which depends from amended claim 14.

### **Rejection under Section 103 of Claim 2**

Claim 2, which depends from claim 1, was rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Tsuei and Stuntebeck (U.S. Patent No. 6,065,016). Applicant requests reconsideration and withdrawal of the rejections because Stuntebeck does not cure the failure of Waites, Tsuei or the combination thereof to describe or suggest the subject matter of independent claim 1.

As noted above, independent claim 1 is directed to a method for routing messages including receiving a message with a universal address, sending a request for processing the universal address to a universal address service provider, receiving a message delivery location based on the universal address, and routing the message to the message delivery location.

Stuntebeck discloses prompting a user to enter input parameters related to identifying an individual of interest. See Stuntebeck at col. 5, lines 11-29. As such, Stuntebeck does not cure

the failure of Waites, Tsuei or the combination thereof to describe or suggest the subject matter of independent claim 1 and, accordingly, the rejection of claim 2 should be withdrawn.

### **Rejection under Section 103 of Claim 3**

Claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Tsuei and Stuntebeck, and in further view of Levine (U.S. Patent No. 6,076,121). Applicant requests reconsideration and withdrawal of the rejections because Levine does not cure the failure of Waites, Tsuei, Stuntebeck or the combination thereof to describe or suggest the subject matter of independent claim 1, from which claim 3 depends. Accordingly, for at least the reasons noted above with respect to the obviousness rejection of independent claim 1, applicant requests reconsideration and withdrawal of the rejection of claim 3.

### **Rejection under Section 103 of Claim 6**

Claim 6 was rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Tsuei and Levine. Applicant requests reconsideration and withdrawal of the rejections because Levine does not cure the failure of Waites and Tsuei, or the combination thereof to describe or suggest the subject matter of independent claim 1, from which claim 6 depends. Accordingly, for at least the reasons noted above with respect to the obviousness rejection of independent claim 1, applicant requests reconsideration and withdrawal of the rejection of claim 6.

### **Rejection under Section 103 of Claims 9, 10, 12, 16-18, 25, 28, 29, 31-36**

Claims 9, 10, 12, 16-18, 25, 28, 29, 31-36 were rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Levine. Claims 9 and 28 are independent, claims 10, 12 and 16-18 depend from claim 9, claim 25 depends from claim 19, and claims 29 and 31-36 depend from claim 28. Applicant requests reconsideration and withdrawal of the rejections because neither Waites, Levine nor any proper combination thereof describes or suggests the subject matter of the independent claims.

Claim 9 recites a method for routing a message including receiving a universal address, receiving a message type, determining the identity of the universal address requestor, accessing a

database of universal addresses, determining a message delivery location based on the message type, and transmitting the message delivery location to the requestor.

The Office action concedes that Waites does not disclose receiving a message type and determining a message delivery location based on the message type. See Office action of October 4, 2004 at page 8, lines 6-8. For this teaching, the Office action relies on Levine. See Office action of October 4, 2004 at page 8, lines 8-11. However, Levine discloses routing calls based on a functional property code associated with each device employed by a user. See Levine at Abstract (stating "the system and method in a telephone network assign a directory number to each user, and functional property code(s) to each device a user employs."). As noted by the Office action, the cited portion of Levine discloses "describing how a call originating from a fax machine will be routed to reach a fax machine on at the other end." See Office action of October 4, 2004 at page 8, lines 8-11. As such, Levine does not disclose a message type or determining a message delivery location based on the message type.

Accordingly, Levine does not cure Waites' failure to describe or suggest the subject matter of independent claim 9.

For at least these reasons, application requests reconsideration and withdrawal of the rejection of claim 9 and claims 10, 12, and 16-18, which depend directly or indirectly from claim 9.

Claim 25 depends from independent claim 19. As discussed above, Waites does not describe or suggest the subject matter of claim 19. Moreover, Levine does not cure Waites' failure to describe or suggest the subject matter of independent claim 19. Accordingly, for at least the reasons noted above with respect to the anticipation rejection of independent claim 19, applicant requests reconsideration and withdrawal of the rejection of claim 25.

Independent claim 28 is directed to a universal address service provider including an interface for receiving a universal address from a requestor, an interface for receiving a message type, a processor for determining an identity of the requestor and determining a message delivery location based on the universal address, an interface for delivering the message delivery location to the requestor, and a database including message delivery locations, wherein the processor determines a message delivery location based on the universal address message type.

The Office action concedes that Waites does not disclose an interface for receiving a message type and a processor determining a message delivery location based on the message type. See Office action of October 4, 2004 at page 10, lines 6-8. For this teaching, the Office action relies on Levine.

As described previously with respect to the obviousness rejection of claim 9, Levine does not describe or suggest a message type or determining a message delivery location based on the message type. Thus, neither Waites, Levine nor any proper combination of the references describes or suggests the subject matter of claim 28. Accordingly, for at least the reasons noted above with respect to the obviousness rejection of independent claim 9, applicant requests reconsideration and withdrawal of the rejection of independent claim 28 and its dependent claims 29 and 31-36.

#### **Rejection under Section 103 of Claims 11, 13 and 30**

Claims 11, 13 and 30 were rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Levine and Stuntebeck. Claims 11 and 13 depend from independent claim 9 and claim 30 depends from independent claims 28. Applicant requests reconsideration and withdrawal of the rejections because Levine and Stuntebeck do not remedy the failure of Waites to describe or suggest the subject matter of claims 9 and 28. Accordingly, for at least the reasons noted above with respect to the obviousness rejection of independent claim 9 and 28, applicant requests reconsideration and withdrawal of the rejection of claims 11, 13 and 30.

#### **Rejection under Section 103 of Claims 21**

Claim 21 was rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Stuntebeck. Applicant requests reconsideration and withdrawal of the rejection because Stuntebeck does not remedy the failure of Waites to describe or suggest the subject matter of claim 19 from which claim 21 depends.

#### **Rejection under Section 103 of Claims 22**

Claim 22 was rejected under 35 U.S.C. § 103 as being unpatentable over Waites in view of Stuntebeck and Levine. Applicant requests reconsideration and withdrawal of the rejection



because neither of the references remedies the failure of Waites to describe or suggest the subject matter of claim 19 from which claim 22 depends.

### **Rejection under Section 103 of Claims 38**

Claim 38 was rejected under 35 U.S.C. § 103 as being unpatentable over Stuntebeck in view of Levine. Applicant requests reconsideration and withdrawal of this rejection because neither Stuntebeck, Levine, nor any combination of the two describes or suggests the subject matter of claim 38.

Claim 38 recites a method for updating an address including receiving a universal address, receiving an identification, determining whether the identification is valid, accessing a database of universal addresses if the identification is valid, and automatically changing a marker for a message delivery location for the received universal address associated with a message service from a first message delivery location to a second message delivery location.

The Office action cites column 3, lines 52-55 of Stuntebeck as disclosing a method for updating an address including receiving a universal address, receiving an identification, determining whether the identification is valid, and accessing a database of universal addresses if the identification is valid. The cited portion of Stuntebeck states:

In a preferred embodiment, those listed on the service can log-on to the service at any time in order to update their directory information. The information maintained on the UDS is thus keep current and complete.

See Stuntebeck at col. 3, lines 52-55. The cited portion does not disclose determining whether the identification is valid. Thus, the cited portion necessarily cannot disclose accessing a database of universal addresses if the identification is valid.

As such, Stuntebeck does not describe or suggest disclose determining whether the identification is valid or accessing a database of universal addresses if the identification is valid, as recited in claim 38.

Levine does not cure Stuntebeck's failure to describe or suggest disclose determining whether the identification is valid or accessing a database of universal addresses if the identification is valid, as recited in claim 38.

Accordingly, for at least these reasons, applicant requests reconsideration and withdrawal of the rejection of independent claim 38.

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## Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated October 4, 2004, be extended for three months to and including April 4, 2005.

Enclosed is a check in the amount of \$510.00 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: April 4, 2005



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